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Daniel B. Schein, Ph.D., Esq., Reg. No. 33,551

12/27/05

Date of Signature

Our Case No.: 10437-69

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

FUKUNAGA et al.

Serial No.: 10/777,772

Filing Date: February 12, 2004

For: BREATHING CIRCUITS HAVING
UNCONVENTIONAL
RESPIRATORY CONDUITS AND
SYSTEMS AND METHODS FOR
OPTIMIZING UTILIZATION OF
FRESH GASES

Examiner: To be assigned

Group Art Unit No.: 3743

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents

listed on the attached Form PTO-1449 be considered by the Examiner and made of record. The documents are numbered so as to be consistent with the numbering of the documents of record in the application from which priority is claimed. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

It is believed no fee is required in association with this submission.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



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Date

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FORM PTO-1449	SERIAL NO. 10/777,772	CASE NO. 10437-69
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary)	FILING DATE February 12, 2004	GROUP ART UNIT 3743
APPLICANT(S): Fukunaga et al.		

REFERENCE DESIGNATION **U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
82	2005/0150505	07/14/05	Burrow et al.	128/911	03/26/04

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)	
78	Nunn, J.F., <u>Applied Respiratory Physiology with special reference to anaesthesia</u> , London, Butterworths, 1971	
79	Eger, E.I. II, "Anesthetic Systems: Construction and Function", <i>Anesthetic Uptake and Action</i> , Baltimore, Williams & Wilkins, 1974 pages 206-227 (1974)	
80	Eger, E.I. II et al., "The Effect of Inflow, Overflow and Valve Placement on Economy of the Circle System", <i>Anesthesiology</i> , pages 29:93-100 (1968)	
81	Mentell, O. et al., "A new hybrid anaesthetic circuit for a low-flow rebreathing technique", <i>Acta Anaesthesiologica Scandinavica</i> , pages 38:840-844 (1994)	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.